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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.

Plaintiff/Counterclaim-
Defendant,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

[Proposed] **ORDER GRANTING
PLAINTIFF'S EX PARTE MOTION
FOR LEAVE TO FILE OVER-
LENGTH MEMORANDUM**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

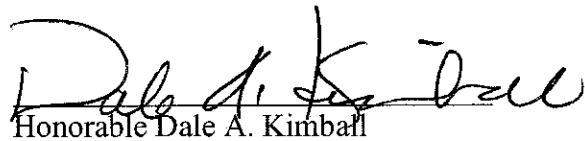
Magistrate Judge Brooke Wells

260

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File an over-length Reply Memorandum to Defendant/Counterclaim-Plaintiff IBM’s Supplemental Memorandum in Opposition to SCO’s Motion to Dismiss or Stay Count Ten of IBM’s Second Amended Counterclaims. The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and here ORDERS that SCO be granted leave to file its over-length Memorandum.

DATED: August 24th, 2004.

BY THE COURT:



Honorable Dale A. Kimball

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of [Proposed] **ORDER GRANTING PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDUM** was served on Defendant International Business Machines Corporation on this 23rd day of August, 2004, by U.S. mail, postage prepaid to:

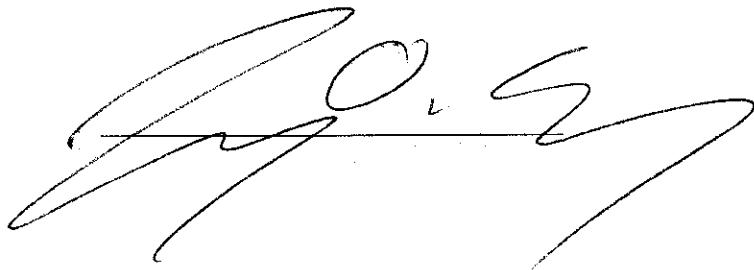
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blk

United States District Court
for the
District of Utah
August 25, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

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